

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

TRANSITION TECHNOLOGIES-
MANAGED SERVICES LLC,

Plaintiff,

v.

M TODD BOYD, et al.,

Defendants.

Case No. [4:20-cv-02091-KAW](#)

THIRD ORDER TO SHOW CAUSE

Re: Dkt. Nos. 39, 49

On March 23, 2022, the Clerk entered default against Defendants. (Dkt. No. 34.) On August 16, 2022, Plaintiff requested that the August 23, 2022 case management conference be continued 60 days, and informed the Court that it expected to file a motion for default judgment by October 1, 2022. (Dkt. No. 37 at 2.)

On August 22, 2022, the case management conference was continued to December 13, 2022, and Plaintiff was instructed to file the motion for default judgment by October 7, 2022. (Dkt. No. 39.) On October 17, 2022, the Court issued a second order to show cause to Plaintiff, and instructed that the response and motion for default judgment be filed by October 26, 2022. (Dkt. No. 39.) Plaintiff responded on December 2, 2022, and asked for an extension of time to file the motion. (Dkt. No. 41.) The Court discharged the order to show cause and set a filing deadline of January 19, 2023. (Dkt. No. 42.) Plaintiff timely filed a motion for default judgment, but ultimately withdrew it on February 28, 2023. (Dkt. Nos. 43 & 49.) To date, Plaintiff has not filed a renewed motion for default judgment.

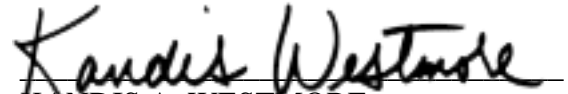
Accordingly, the Court issues a third order to show cause why this case should not be dismissed for failure to prosecute. Plaintiff's response is due on or before **September 15, 2023**. Also by September 15, 2023, Plaintiff shall file the renewed motion for default judgment. This

1 case was filed more than three years ago, and the Court will not be granting any further
2 extensions. The failure to timely respond and file the motion for default judgment will result in
3 this case being reassigned to a district judge with the recommendation that it be dismissed without
4 prejudice for failure to prosecute.

5 Alternatively, Plaintiff may file a voluntary dismissal.

6 IT IS SO ORDERED.

7 Dated: August 22, 2023

8 
9 KANDIS A. WESTMORE
United States Magistrate Judge